

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Claims 6-11 and 13-17 were pending in this application. By this paper, claims 6, 10 and 13 are amended and claims 7, 11 and 17 are cancelled without prejudice or disclaimer. Support for these amendments are found throughout the application as originally filed. No new matter will be introduced by entry of these amendments. Entry is respectfully requested.

The Examiner has rejected claims 6-11 and 13-17 under 35 U.S.C. §103(a) as allegedly being unpatentable over Katase (U.S. Patent No. 6,525,865) in view of Loxley (U.S. Patent No. 6,262,833). Applicant respectfully traverses these rejections.

Claim 6 recites, *inter alia*, “applying a stimulus to a selected area and another stimulus to another selected area of said optical modulation members deposited on said substrate, thereby coloring one of said optical modulation members.” In contrast, Loxley teaches the coloring of dye in a microcapsule. Loxley does not teach or suggest that the dye is deposited on a substrate and colored a predetermined color at a predetermined position. Therefore, Loxley does not disclose “applying a stimulus to a selected area and another stimulus to another selected area of said optical modulation members deposited on said substrate, thereby coloring one of said optical modulation members.” Additionally, Katase also does not teach this feature. Accordingly, claim 6 should be allowable. Similarly, since claims 8-10 and 13-16 each depend from claim 6, these claims should also be allowable.

Applicant has not independently addressed the rejections of the dependent claims. Applicant submits that, in view of the amendments to the claims presented herein and,

Appl. No. 10/696,176
Paper dated January 3, 2007
Reply to Office Action dated November 1, 2006

for at least similar reasons as to why the independent claims from which the dependent claims depend are believed allowable as discussed supra, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

CONCLUSION

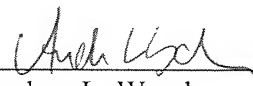
For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5185.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 3, 2007

By:



Andrea L. Wayda
Registration No. 43,979

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile